

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,

Plaintiff,

v.

DOMUS MANAGEMENT CO., et al.,

Defendants.

No. 2:24-cv-00407-DC-JDP (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 5)

Plaintiff William J. Whitsitt is proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 23, 2025, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to Plaintiff's failure to prosecute this action and failure to comply with a court order. (Doc. No. 5.) Specifically, Plaintiff has failed to comply with the court's order dated February 24, 2025, in which Plaintiff's complaint was dismissed for failure to state a cognizable claim and Plaintiff was directed to file either an amended complaint or notice of voluntary dismissal within thirty days. (Doc. No. 4.) Plaintiff did not thereafter file an amended complaint or notice of voluntary dismissal. The pending findings and recommendations were served on Plaintiff and contained notice that any objections thereto

were to be filed within fourteen (14) days after service.¹ (Doc. No. 5 at 3.) To date, no objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

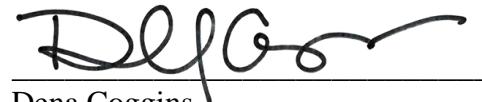
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the findings and recommendations are supported by the record and by proper analysis.

Accordingly:

1. The findings and recommendations issued on April 23, 2025 (Doc. No. 5) are
ADOPTED in full;
2. This action is DISMISSED, without prejudice, due to Plaintiff's failure to
prosecute this action, failure to comply with a court order, and failure to state a
claim for the reasons set forth in the court's February 24, 2025 order (Doc. No. 4);
and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: July 17, 2025



Dena Coggins
United States District Judge

¹ On May 7, 2025, the service copy of the pending findings and recommendations that was mailed to Plaintiff at his address of record was returned to the court marked as "Undeliverable, Not deliverable as addressed, Unable to forward." Thus, pursuant to Local Rule 183, Plaintiff was required to file a notice of his change of address with the court by no later than June 16, 2025, and he has not done so.